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LETTER DATED 4 MARCH 1994 FROM THE CHARGÉ D'AFFAIRES A.I. OF THE PERMANENT MISSION OF NIGERIA TO THE UNITED NATIONS ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

I have the honour to transmit to you the text of the following letter from the Minister of Foreign Affairs of the Federal Republic of Nigeria, BABA GANA KINGIBE, concerning the border dispute between Nigeria and Cameroon:

"Mr. President,
The Security Council,
United Nations Organization
New York

Mr. President,

I wish, on the instructions of my Government to refer to the letter dated 28 February 1994, addressed to you by the Permanent Representative of Cameroon (S/1994/228), and to convey to you the following information.

On 31 December 1993, Nigerian troops were dispatched to the Nigerian fishing villages of Abana and Atabong on the Nigerian Bakassi Peninsula in order to avert a violent clash between those who lay claim to the settlements from two Nigerian States, namely the Akwa Ibom State and the Cross River State. The pre-emptive action had the desired effect. However, following the concern expressed by the Cameroonian Government on the Nigerian troops' movement, I visited Yaounde on the instructions of my Head of State, Gen. Sani Abacha, to explain to President Paul Biya the reason for the Nigerian move. Early in 1994, the Cameroonian Foreign Minister also visited Abuja with a message to the Nigerian Head of State from President Biya. Both sides pledged to resolve the issues peacefully.

Surprisingly, while peaceful dialogue was proceeding, Cameroonian soldiers from their own position in the Peninsula launched an attack on the Nigerian troops first on 14 February, and again on 18 and 19 February 1994. Nigerian troops were obliged to defend themselves. They were, however, ordered to cease fire as soon as the attack on them stopped.

Disturbed at this development, my Head of State wrote to the Cameroonian President, inviting him to Nigeria for summit level talks on

the Peninsula. On 23 February, a Cameroonian envoy visited Nigeria with a message from his Head of State, by which he accepted the invitation for summit level talks.

My Government was, therefore, surprised that even before the agreed talks commenced, the Government of Cameroon had taken steps to internationalize the issue by:

(a) inviting French troops into the area,

(b) calling for a discussion of the issue by the Security Council,

(c) initiating a process with the International Court of Justice,

(d) bringing the matter to the attention of the Chairman of OAU.

It is pertinent to recall that ownership of the Bakassi Peninsula has been in dispute between the two countries since their independence from the colonial Powers. My Government rejects the claims of Cameroon on the Peninsula on the following grounds among many:

- We have no evidence that the Anglo-German Treaty of 1913, which purportedly ceded the Peninsula to Cameroon was ever ratified by the British Parliament. In any event, the physical demarcation of the boundaries even in the terms of the said Treaty was never done in so far as the Bakassi area was concerned.

- A Nigerian/Cameroonian Boundary Commission, which met in Yaounde in August 1970, agreed that physical demarcation of the maritime boundary between the two countries be carried out in accordance with the 1958 Geneva Convention on the Law of the Sea.

- The Maroua Declaration signed by former Nigerian and Cameroonian Heads of State, General Gowon and President Ahidjo has no legal basis as it was not ratified by the competent Nigerian legislative body of the time, the Supreme Military Council.

Contrary, therefore, to the assertion in the communication of my Cameroonian colleague, the Bakassi Peninsula has a population which is over 90 per cent Nigerian, belonging to Ibibio and Efik groups. These Nigerians have been victims of periodic atrocities committed by the Cameroonian gendarmes and soldiers. There were 6 serious recorded incidents in 1991, 6 in 1992 and 13 up to September 1993.

My Government, in keeping with its good-neighbourly policy, will continue to pursue the course of dialogue between the two countries notwithstanding the provocative deployment of French troops. Indeed my Government is actively preparing for the proposed summit talks to which the Heads of State of the two countries have committed themselves.

It is, therefore, the hope of my Government that the Security Council will encourage this initiative for bilateral resolution of the dispute,

which is in accordance with Article 33 (i) of the Charter of the United Nations. It is also my Government's hope that the Council will urge all third parties to refrain from acts which will internationalize or otherwise aggravate the situation.

I should be grateful if you would kindly circulate the text of this letter as a document of the Security Council.

(Signed) BABA GANA KINGIBE
Minister of Foreign Affairs
Federal Republic of Nigeria"

(Signed) Isaac E. AYEWAH
Ambassador
Chargé d'affaires a.i.